UNITED NATIONS **S**

Security Council

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GENERAL

S/1999/1
4 January 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 31 DECEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 31 December 1998 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs, stating Iraq's categorical rejection of any further dealings on Iraqi territory between the United Nations and non-governmental organizations that do not enjoy any legitimate or legal status in Iraq, and asking that such dealings be halted forthwith. The letter also affirms that the defence of the unlawful presence of such organizations in Iraq offered by the representative of the United Kingdom in the Security Council consultations is merely intended to destroy the credibility and integrity of the United Nations. That organization is being used as a cover for the infiltration of British spies and intelligence personnel into Iraq with a view to intervening in its internal affairs as part of the aggressive conspiracy being carried out against the security and territorial sovereignty of Iraq by the United States of America and the United Kingdom. The imposition of "no-fly" zones in northern and southern Iraq represents one of the criminal aggressive tools used in this conspiracy.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 31 December 1998 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

I should like to draw your attention to my letter of 15 December 1998 addressed to the Secretary-General (S/1998/1198) concerning his report on assistance in mine clearance (A/53/496), submitted to the General Assembly at its fifty-third session under agenda item 42.

In the section of this report devoted to Iraq, paragraph 83 contains a reference to two international non-governmental organizations conducting mine-action activities in northern Iraq, with which the United Nations Office for Project Services (UNOPS) has been in close liaison although it does not have any formal affiliation with them.

Paragraph 85 of the same report states that Norwegian People's Aid has recently increased its operations to include two manual clearance teams that operate in the Suleimaniyah governorate. It also conducts explosive ordnance disposal operations. The non-governmental organization shares the UNOPS operations training base in Maidan but its major difficulty is in bringing the equipment vital to its work into the region.

It should be pointed out that the Secretary-General of the United Nations has made no reference, in any of the periodic reports he has submitted concerning implementation of the Memorandum of Understanding relating to the oil-for-food programme, to the existence of any dealings of this nature with non-governmental organizations working in northern Iraq that have not obtained permission from the Iraqi Government to enter Iraqi territory and that do not come under the oil-for-food arrangement.

References in the Secretary-General's report indicated that three non-governmental organizations are operating in northern Iraq without the knowledge or approval of the Iraqi Government. This means that their personnel have entered Iraqi territory illicitly, and that UNOPS, which is responsible for supporting the Memorandum of Understanding by carrying out demining in northern Iraq, has been "in close liaison" with them.

The illegal presence in northern Iraq of personnel from these non-governmental organizations constitutes a flagrant violation of Iraq's sovereignty and an infraction of the provisions of international and national law forbidding entry into the territory of a State without the approval of the national authority. The provisions of these laws grant a State the right to subject those who enter its territory without approval to prosecution under its laws, whatever the pretext for such illegal entry.

Iraq considers that United Nations dealings with these non-governmental organizations and institutions which have not entered Iraqi territory legally are an infringement of Iraqi sovereignty and an infraction of the norms of international law and the provisions of Security Council resolutions concerning

Iraq, which all affirm respect for the sovereignty, unity and territorial integrity of Iraq.

Furthermore, paragraph 3 of the Memorandum of Understanding between the Government of Iraq and the United Nations on the implementation of Security Council resolution 986 (1995), on the basis of which demining work was undertaken, states: "Nothing in the present Memorandum should be construed as infringing upon the sovereignty or territorial integrity of Iraq."

The Government of Iraq therefore categorically rejects continued dealings on Iraqi territory between the United Nations and non-governmental organizations that enjoy no legitimate or legal status there and demands that such dealings should be halted forthwith, and that United Nations or officially approved personnel and those to whom the Government of Iraq extends the necessary facilities for entry into Iraqi territory should be used in order to maintain the spirit of cooperation that exists between the Government of Iraq and the United Nations with respect to implementation of the Memorandum of Understanding.

Reference should here be made to the statements of the Permanent Representative of the United Kingdom to the United Nations at the informal consultations of the Security Council held on the morning of Tuesday, 29 December 1998, when you raised the matter of my aforementioned letter to the Secretary-General. The Representative of the United Kingdom said that the letter had been addressed to the Secretary-General, who was responsible for replying to it, and that he saw no reason for the Security Council to discuss it. Such statements are patent misrepresentations, since they cannot arise from the ignorance of the Permanent Representative of a State which is a permanent member of the Security Council of the duties of the Secretary-General of the United Nations or of the Security Council, particularly when the issue is one that directly relates to the sovereignty and security of a State Member of the United Nations.

When the Permanent Representative of the United Kingdom says that the oil-for-food programme includes a demining programme in northern Iraq, which the Secretariat is responsible for implementing, and that the Government of Iraq has no business with the implementation of the programme in northern Iraq apart from the import of food and medicine, I do not believe that he is unaware of the provisions of the Memorandum of Understanding signed by the Government of Iraq and the Secretary-General of the United Nations on 20 May 1996 concerning the oil-for-food programme, paragraph 3 of which states: "Nothing in the present Memorandum should be construed as infringing upon the sovereignty or territorial integrity of Iraq." Paragraph 4 states: "The provisions of the present Memorandum pertain strictly and exclusively to the implementation of the Resolution and, as such, in no way create a precedent. It is also understood that the arrangement provided for in the Memorandum is an exceptional and temporary measure."

The Permanent Representative of the United Kingdom knows better than anyone else that the methods he has been employing in the Security Council Committee established by resolution 661 (1990) are prompted by narrow political considerations inimical to Iraq and have played a large part in impeding

implementation of the oil-for-food programme and in delaying the arrival of foodstuffs and basic necessities covered by the provisions of this programme. This has been done by blocking a large number of contracts and by preventing the Committee from approving them, on flimsy pretexts. The main aim of those practices is to go to extremes in harming the Iraqi people and to deprive it of its basic humanitarian needs. Whatever success this programme has enjoyed in Iraq has been due primarily and above all to the complete cooperation and coordination between the United Nations and Iraq, despite all the immoral attempts made by the United Kingdom and the United States of America to disrupt and impede this cooperation.

When the representative of the United Kingdom says that the subject of the illegal entry of non-governmental organization personnel into northern Iraq should be referred to the Security Council Committee established by resolution 661 (1990), which is responsible for implementation of Security Council resolution 986 (1995) and suggests that discussion of this matter should be held in that Committee, he cannot be unaware of the nature of the Committee's work. It is a technical body, concerned with the scrutiny of contracts relating to the humanitarian needs covered by the purchase and distribution plans of the oil-for-food programme. The question of the illegal presence of these personnel in northern Iraq falls outside the Committee's competence and has deliberate political dimensions which threaten the security and sovereignty of Iraq and even prejudice the nature of the humanitarian programme that the United Nations is carrying out in Iraq in cooperation with the Iraqi Government. It goes without saying that it is not possible in any way for the Security Council Committee established by resolution 661 (1990) to be involved in any matter that violates the sovereignty, independence and territorial integrity of Iraq, which have been affirmed by all relevant Security Council resolutions.

The logic applied by the Permanent Representative of the United Kingdom in his desperate attempt to divert the attention of the Security Council from this grave matter has two basic components:

1. An attempt by the United Kingdom to destroy the credibility and integrity of the United Nations by involving its programmes in Iraq in matters that conflict with the purposes and principles of the Charter of the United Nations and embroiling it with dubious elements that are engaged in illegal operations that are unrelated to the mandate entrusted to the United Nations in Iraq.

2. The position taken by the representative of the United Kingdom makes it clear that the two organizations to which the Secretary-General referred in his report are British and that their personnel includes spies and saboteurs who constitute a tool in the hand of the United Kingdom Government and its intelligence apparatus to be used in its attempt to intervene in the internal affairs of Iraq.

The Government of the United Kingdom was not ashamed to make rude and vulgar declarations through its highest political figures, in particular Prime Minister Tony Blair, regarding its determination to intervene in the internal affairs of Iraq, call for a change in the national system of government in that country and make a clear threat to use armed force against Iraq in a manner which constitutes a flagrant and dangerous violation of the Charter of the

United Nations and the provisions of international law. It is no secret that the Government of the United Kingdom joined the United States administration in carrying out its threats to use force, heedless of the Security Council, the United Nations and world public opinion, in its comprehensive military attack on Iraq from 16 to 20 December 1998, which destroyed a large number of Iraqi civilian installations and led to the death and injury of a large number of Iraqi people.

The stance adopted by the United Kingdom is in keeping with a series of positions that constitute parts of the conspiratorial and aggressive plans being carried out by the United States and the United Kingdom with a view to threatening Iraq's security, sovereignty and territorial integrity. These criminal plans are embodied in the unilateral imposition of the two "no-fly" zones in northern and southern Iraq, with no authorization from the Security Council. The very nature of this position constitutes a violation of international law and grave disregard and contempt for the United Nations and for the Security Council in particular. It also constitutes a clear act of aggression against the sovereignty of an independent country and founding Member of the United Nations and a material violation of the provisions of the Charter of the United Nations and of the norms of international law.

The repeated violation of Iraqi airspace by United Kingdom and United States aircraft represents a continuation of the aggressive operation against Iraq that those two countries are conducting outside the law. Iraq reiterates its absolute rejection of the two "no-fly" zones imposed by those two aforementioned hostile, outlaw countries. It also fully reserves its right to respond to any act that violates its national sovereignty, land or airspace. The Government of Iraq fully reserves its right to assign to the Governments of the United Kingdom and the United States full international responsibility for these criminal acts of aggression and their attendant consequences, and to seek compensation therefor.

In placing these facts before you and, through you, before the Security Council, on behalf of my Government I request the Security Council to assume its responsibilities pursuant to the Charter of the United Nations and halt this aggressive behaviour on the part of the United Kingdom and United States, which goes beyond all norms and principles of international law, and to restore to the Security Council its role as the main international instrument responsible for the maintenance of international peace and security.

I should be grateful if you would have this letter circulated to members of the Security Council and as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

UNITED
NATIONS

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Security Council

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GENERAL

S/1999/2
4 January 1999

ORIGINAL: ENGLISH

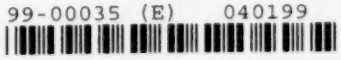
LETTER DATED 2 JANUARY FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon the instruction of my Government, I have the honour to transmit, enclosed herewith, the comments of the Federal Republic of Yugoslavia on the report of the Secretary-General prepared pursuant to resolutions 1160 (1998), 1199 (1998) and 1203 (1998) of the Security Council (S/1998/1221) (see annex).

I should be very grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

99-00035 (E) 040199



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Annex

Comments of the Federal Republic of Yugoslavia on the report of the Secretary-General prepared pursuant to resolutions 1160 (1998), 1199 (1998) and 1203 (1998) of the Security Council

The Federal Republic of Yugoslavia welcomes the endeavour of the Secretary-General of the United Nations to present an objective picture of the situation in Kosovo and Metohija, the Autonomous Province of the Yugoslav constituent Republic of Serbia, in his report of 24 December 1998 (S/1998/1221), prepared pursuant to resolutions 1160 (1998), 1199 (1998) and 1203 (1998) of the Security Council and the fact that the report brings forth the data the Federal Republic of Yugoslavia provided on the activities of the terrorists of the so-called Kosovo Liberation Army (KLA). It considers it particularly important that the improvement of the humanitarian situation, as well as unhindered access of humanitarian agencies throughout the province, have been noted in the report. These developments have been borne out also in the report of Sadako Ogata, United Nations High Commissioner for Refugees, which says that an immediate humanitarian catastrophe has been averted and cites the statement of Slobodan Milosevic, President of the Federal Republic of Yugoslavia, to the effect that the supply of basic provisions to Kosovo and Metohija is disrupted by KLA terrorists. Equally important is the statement that the activities of Kosovo Albanian paramilitary units (their practice of laying mines and engaging in sporadic clashes with the Serbian police) constitute evident danger for humanitarian workers.

The positive results in the humanitarian field in the report concern, however, only the return of ethnic Albanian civilians to their villages. No mention is made of the fact that Serbian civilians not only have not returned to their villages, which prior to the recent troubles were of mixed ethnic composition, but that tremendous pressure is being brought to bear on them by the so-called KLA not to return at all which, after all, is the ultimate goal of this terrorist organization. Today, no Serb lives in any of the 87 villages in which Serbs did live until 1997. This is ethnic cleansing par excellence. This is not the case with any of the villages in which Albanians live, including Malisevo. These data confirm that the main goal of terrorists is not only the killing and intimidation of individual Serbs, but also their expulsion from the areas in which they live as a minority and the expansion of "ethnically pure" Albanian areas. The recent events near Podujevo, where the victims of Albanian terrorists were the last 25 Serbian families remaining in a few villages of previously mixed ethnic composition, are telling proof of this goal. The fact that the number of Serbian families that have left the villages is, in absolute numbers, smaller than the number of Albanian families confirms that the ethnic cleansing of Serbs from Kosovo and Metohija is a process which has gone on for years. Other non-Albanian populations are also expelled from Kosovo and Metohija under the threat of arms, which is evinced by the recent killing of the Romanies in Kosovska Mitrovica.

The Federal Republic of Yugoslavia is deeply convinced that the only solution to the problems in Kosovo and Metohija is the creation of conditions in

which all national communities would enjoy equal rights. Involvement of the international community and its practical steps should be aimed towards this goal so as to prevent Albanian secessionists from creating an independent, ethnically pure Kosovo and Metohija.

Notwithstanding the fact that all relevant Security Council resolutions condemn terrorism in unmistakable terms, it is mystifying that the report continues to speak only about "violence", "armed groups" and "Kosovo Albanian paramilitary units", all the more so since it transpires from the report that the terrorists are the main stumbling block to the solution of problems in Kosovo and Metohija. Calling the terrorists "paramilitary units" serves to uphold the erroneous contention that an armed conflict is at issue in Kosovo and Metohija and that two belligerent parties are involved. The terrorists calling themselves "the Kosovo Liberation Army" have not been, nor can they be, a military or political factor, i.e. any "party" to any "conflict", since international law has accorded no terrorists any status whatsoever of a party, while States affected by terrorism have legitimately used all available means to combat this universal scourge. Equating State authorities, protecting the security of all citizens and the integrity of constitutional institutions, with terrorists serves to encourage separatism and secessionism in Kosovo and Metohija. The Federal Republic of Yugoslavia therefore expects that all United Nations Member States will strictly abide by the provisions of Security Council resolution 1160 (1998) and that they will cut off all forms of assistance, especially financial assistance, to terrorists and their recruitment, training, arming and infiltration in Kosovo and Metohija.

Accusations about alleged excessive use of force by the State authorities of the Federal Republic of Yugoslavia and its constituent Republic of Serbia are unsubstantiated. Even though it is evident that the terrorists are responsible for the escalation of bloodshed to urban communities, no reference to that fact is made in the report. Besides, the crimes committed by terrorists (the killing of a group of Serbian teenagers in Pec and the Deputy Mayor of Kosovo Polje) are equated with the legitimate actions of the State authorities (the interception and liquidation of 34 fully armed terrorists while they made an illegal attempt to cross the Yugoslav-Albanian border).

The Federal Republic of Yugoslavia considers that the international community should endeavour, first and foremost, to encourage the achievement of an agreement that would put an end to the fighting, ensure equality to all citizens, guarantee human rights and fundamental freedoms, grant amnesty and solve other problems, which would bring about peace to all citizens of Kosovo and Metohija.

The Federal Republic of Yugoslavia has demonstrated its commitment to the solution of problems in Kosovo and Metohija through political means by calling for an immediate and unconditional resumption of dialogue on many occasions. Conversely, the representatives of Albanian political parties continue to stubbornly obstruct, in defiance of all relevant Security Council resolutions, all efforts to bring back the dialogue. It is therefore not appropriate to apportion equal blame for the impasse in the political dialogue to the representatives of the Federal Republic of Yugoslavia and the representatives of

Albanian political parties. The blame of the latter should not be downgraded, let alone covered up.

The Federal Republic of Yugoslavia continues to implement the agreement reached between its president, Slobodan Milosevic, and United States Special Envoy Richard Holbrooke and the agreement between the Federal Republic of Yugoslavia and the Organization for Security and Cooperation in Europe (OSCE). This is also true with regard to the level of security force deployment in Kosovo and Metohija, so all contentions to the contrary are groundless. As to the assessment in the report that the Federal Republic of Yugoslavia is in breach of its obligations to adopt an amnesty law (which in any case is being prepared), it should be borne in mind that amnesty is a concluding act of all political agreements and that insistence on amnesty before a political agreement has been reached is tantamount to condoning the terrorists who continue their terrorist activities, killing State officials and civilians alike, taking them hostage and providing no information about their whereabouts.

The Federal Republic of Yugoslavia is also ready to cooperate fully with the team of Finnish forensic investigators so that the responsibility for the killing of civilians can be established anywhere in Kosovo and Metohija. The problem regarding the arrival of the team in the village of Gornje Obrinje singled out in the report has not been created by lack of cooperation by the Yugoslav authorities or because of any restriction on their free professional engagement, but because the members of the so-called KLA told international officials that they would not tolerate even a passive presence of the police at the investigation. The Finnish forensic experts announced that they would return after the Christmas and New Year's holidays.

As to the security of Kosovo Verification Mission (KVM) members and international officials in general, it should be noted that the Federal Republic of Yugoslavia complies consistently with its obligations and expects that OSCE will do the same. The slow deployment of KVM members is not attributable to any action of the Federal Republic of Yugoslavia. There are no obstacles to cooperation with the Mission, and the Federal Republic of Yugoslavia is very much interested in its success, which presupposes its full objectivity.

To base his future reports on the situation in Kosovo and Metohija almost entirely on the information provided by OSCE is inadequate, considering that the Secretary-General has broader obligations. To limit them only to humanitarian aspects alone, notwithstanding their great importance, would not achieve the desired goals. Bearing in mind that the recent visit of Stefano de Mistura provided the Secretary-General with direct access regarding the developments in Kosovo and Metohija, the Federal Republic of Yugoslavia considers that such practice should be continued.

The Federal Republic of Yugoslavia is of the opinion that the aide-mémoire attached to the letter of Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to the Secretary-General on 28 December 1998 (S/1998/1231, annex II), should be taken into account when the report of the Secretary-General is discussed in the Security Council so as to achieve an objective and comprehensive insight regarding the situation in Kosovo and Metohija.

UNITED NATIONS **S**

Security Council

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S/1999/3
4 January 1999
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LETTER DATED 4 JANUARY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SAUDI ARABIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that on 12 December 1998, an Iraqi patrol crossed the Saudi border and opened fire on a Saudi patrol, one of the members of which sustained a wound to the head from which he died.

The Government of the Kingdom of Saudi Arabia addresses a complaint to the Security Council in this connection and strongly condemns this type of aggression, which constitutes a violation of the security and sovereignty of the Kingdom of Saudi Arabia and of its international borders, as well as of the principles of the Charter of the United Nations and the rules of international law.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdulrahman S. AL-AHMED
Chargé d'affaires, a.i.

99-00081 (E) 040199 040199

UNITED NATIONS **S**

Security Council

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4 January 1999
ENGLISH
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LETTER DATED 4 JANUARY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SAUDI ARABIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that on 12 December 1998, an Iraqi patrol crossed the Saudi border and opened fire on a Saudi patrol, one of the members of which sustained a wound to the head from which he died.

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I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdulrahman S. AL-AHMED
Chargé d'affaires, a.i.

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* Reissued for technical reasons.

99-00201 (E) 050199

UNITED NATIONS **S**

Security Council

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GENERAL

S/1999/4
4 January 1999

ORIGINAL: ENGLISH

LETTER DATED 30 DECEMBER 1998 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF AUSTRIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement of the Presidency of the European Union regarding the situation in Cyprus issued on 30 December 1998.

I should be grateful if you would have the text of the statement circulated as a document of the Security Council.

(Signed) Hans Peter MANZ
Deputy Permanent Representative of Austria
to the United Nations

99-00087 (E) 040199

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Annex

Statement of the Presidency of the European Union regarding the situation in Cyprus issued on 30 December 1998

The European Union welcomes the decision taken by Cypriot President Glafkos Clerides on 29 December 1998 not to bring S-300 missiles to the island. This decision has eliminated a source of tension on the island and should encourage progress towards a just and lasting settlement of the Cyprus conflict. It should be followed by gestures from Turkish side also.

The European Union considers the decision of President Clerides to be an important signal for the reduction of the excessively high level of armaments in Cyprus and hopes that further steps in this direction will be taken by both sides.

The European Union strongly endorses Security Council resolutions 1217 (1998) and 1218 (1998) adopted by the Council on 22 December 1998, and fully supports the ongoing efforts of the Secretary-General's Deputy Special Representative for Cyprus.

The European Union is of the view that President Clerides' decision also constitutes a positive development in the perspective of Cyprus' European Union accession. It shows that the increasingly strong ties between Cyprus and the European Union can contribute to the reduction of tensions and to the search for a political solution. The European Union will continue to work in accordance with the conclusions of the European Council of Luxembourg for the involvement of representatives of the Turkish-Cypriot community in the European Union accession negotiations.

The European Union calls on all parties to continue to cooperate with the Secretary-General of the United Nations with a view to reaching a comprehensive and lasting settlement on Cyprus in accordance with the relevant resolutions of the Security Council.

UNITED NATIONS **S**

Security Council

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S/1999/5
4 January 1999

ORIGINAL: ENGLISH

LETTER DATED 4 JANUARY 1999 FROM THE PERMANENT REPRESENTATIVE OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you a press release issued on 1 January 1999 by the Office of the Government Spokesperson, entitled "Will the international community speak out against aggression" (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador
Permanent Representative

Annex

Will the international community speak out against aggression?

It is nearly eight months since Eritrean troops invaded Ethiopia. Since May 1998, 315,936 people in the state of Tigrai and 22,382 people in the state of Afar have been displaced by Eritrean aggression. A total of 338,318 people have been forced from their homes and land.

In the past eight months Ethiopia has shown its commitment to try and find a peaceful resolution to this conflict. It has consistently supported all mediation efforts. It has given formal written acceptance of the proposals for a framework agreement put forward by the High-Level Delegation of the Organization of African Unity (OAU). These proposals, endorsed by the United Nations and the European Union, call for the withdrawal of Eritrean forces from Badme to the positions they held before 6 May 1998.

Eritrea has not accepted the framework agreement. Instead it has proposed amendments that were not even discussed by OAU. Despite the OAU call for redeployment of Eritrean troops, the Eritrean Government does not appear to want to create conditions conducive to a peaceful settlement. Indeed, the Eritrean Government has repeatedly shown that it is not committed to resolving the conflict through the principles of international law.

All nation States hold national sovereignty as sacrosanct. Eritrea has violated Ethiopian sovereignty. The Ethiopian people have a long history of defending their sovereignty. Ethiopia wants a peaceful solution to this conflict, but will not compromise its stand that Eritrea must withdraw from occupied territory in accordance with the OAU proposals.

As we begin 1999, does the prospect for a peaceful resolution of the Ethiopian-Eritrean conflict look any brighter? Do we have reason to look to the New Year with optimism? We urge the international community to speak out, to insist that Eritrean aggression cannot and must not pay, that what was done by force must first be undone if there is going to be peace.

Ethiopia has worked unceasingly to use all channels available in pursuit of a peaceful resolution. Let us hope that in 1999 we shall see the resolve of the international community to stand up for the fundamental principles of sovereignty - principles which they would not wait for eight months to apply in their own countries.

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General Assembly
Security Council

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S/1999/6
5 January 1999
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GENERAL ASSEMBLY
Fifty-third session
Agenda item 40
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-fourth year

Letter dated 4 January 1999 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to my recent letter concerning the Israeli attack on the area around the village of Janta in which seven civilians, all of them members of the same family, were killed on 22 December 1998 (A/53/768-S/1998/1215), I have to communicate to you hereunder particulars of a fresh Israeli act of aggression in the same area in which a number of civilians were wounded.

At 12.40 p.m. on Sunday, 3 January 1999, Israeli military aircraft carried out a two-wave attack on an area near the village of Nahlé in which they fired eight air-to-surface missiles that hit some buildings. Seven civilians were wounded, most of them women and children, and the residents of the targeted area were left in a state of alarm and anxiety.

This fresh act of aggression illustrates yet again Israel's contempt for international law, the safety of defenceless civilians and human rights.

The Lebanese Government, again expressing its condemnation and deprecation of this open assault on its sovereignty and on its citizens, urges the international community, as represented by the Security Council, to take the necessary steps to halt Israeli attacks on Lebanon and bring an end to the intimidation of its innocent inhabitants by the aggressor and occupier.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 40, and of the Security Council.

(Signed) Hassan Kassem NAJEM
Chargé d'affaires a.i.

99-00121 (E) 050199 050199

UNITED
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General Assembly
Security Council

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A/54/58
S/1999/7
5 January 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
IMPLEMENTATION OF THE DECLARATION
ON THE GRANTING OF INDEPENDENCE
TO COLONIAL COUNTRIES AND PEOPLES

SECURITY COUNCIL
Fifty-fourth year

Letter dated 30 December 1998 from the Chargé d'affaires a.i.
of the Permanent Mission of Austria to the United Nations
addressed to the Secretary-General

I have the honour to draw your attention to the statement by the Presidency of the European Union on Western Sahara issued on 29 December 1998 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", and of the Security Council.

(Signed) Hans Peter MANZ
Chargé d'affaires a.i.

ANNEX

Statement on Western Sahara issued on 29 December 1998
by the Presidency of the European Union

The European Union reiterates its full support for the United Nations Settlement Plan for Western Sahara proposed by the Secretary-General, which aims at the holding of a free, fair and impartial referendum on the self-determination of the people of Western Sahara.

While the European Union took note with satisfaction of the completion of the identification of more than 147,000 applicants to the referendum, it remains deeply concerned over the continuing differences on the issue of the three tribal groupings. This question, which has led to the halt of the identification work, has been a constant source of contention between the parties and subject to several compromise proposals.

In this context, the European Union warmly welcomes the arbitration presented to the parties by the Secretary-General in accordance with the United Nations Settlement Plan, in order to move the identification process forward.

The European Union also welcomes the unanimous decision of the Security Council, by its resolution 1215 (1998) of 17 December 1998, to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 31 January 1999 in order to allow for further consultations, in the hope that they will lead to an agreement on the various protocols without undermining the integrity of the proposed package of the Secretary-General or calling into question its main elements.

The European Union expects and sincerely hopes for fruitful consultations and fully supports the assessment of the Secretary-General that the implementation of his proposal would clearly demonstrate the readiness of both parties to compromise and their willingness to accelerate the referendum process.

The European Union also strongly encourages the parties and interested States to effectively formalize the presence of the Office of the United Nations High Commissioner for Refugees (UNHCR) in the Territory and to conclude the refugee repatriation protocol.

Likewise, the European Union stresses the need for the prompt signing of the still outstanding status-of-forces agreement on MINURSO.

The European Union reiterates its full support for the efforts of the Secretary-General towards a just, fair and lasting solution for Western Sahara. We call upon the parties to fully cooperate with the United Nations in order to make substantial and speedy progress in the implementation of the Settlement Plan in all its aspects.

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5 January 1999

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

1. Pursuant to paragraph 4 (b) of the note by the President of the Security Council dated 30 October 1998 (S/1998/1016), and following consultations among the members of the Council under the no-objection procedure, the members of the Council agreed to elect the Chairmen and Vice-Chairmen of the following Sanctions Committees for a period running until 31 December 1999:

Security Council Committee established pursuant to resolution 661 (1990) concerning the situation between Iraq and Kuwait

Chairman: Peter van Walsum (Netherlands)

Vice-Chairmen: Argentina and Gabon

Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya

Chairman: Dr. Danilo Türk (Slovenia)

Vice-Chairmen: Brazil and Gabon

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Chairman: Jassim Mohammed Buallay (Bahrain)

Vice-Chairmen: Gambia and Netherlands

Security Council Committee established pursuant to resolution 864 (1993) concerning Angola

Chairman: Robert R. Fowler (Canada)

Vice-Chairmen: Argentina and Malaysia

Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Chairman: Hasmy Agam (Malaysia)

Vice-Chairmen: Bahrain and Canada

Security Council Committee established pursuant to resolution 985 (1995) concerning Liberia

Chairman: Martin Andjaba (Namibia)

Vice-Chairmen: Canada and Malaysia

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Fernando Enrique Petrella (Argentina)

Vice-Chairmen: Bahrain and Namibia

Security Council Committee established pursuant to resolution 1160 (1998)

Chairman: Celso L. N. Amorim (Brazil)

Vice-Chairmen: Gambia and Netherlands

2. The Bureau of each of the above-mentioned Sanctions Committees will be composed as above for a term ending on 31 December 1999.

UNITED
NATIONS

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Security Council

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GENERAL

S/1999/9
5 January 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 4 JANUARY 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to recall that in paragraph 8 (g) of its resolution 986 (1995), the Security Council requested the Secretary-General to "make available up to 10 million United States dollars every ninety days from the funds deposited in the escrow account", and this was confirmed by the Secretary-General in subparagraph (f), section VI, of his report dated 25 November 1996 (S/1996/978). Since the opening of the Iraq Account in December 1996, in conformity with the above-mentioned resolution, the specialized services of the United Nations have not provided Iraq with financial statements relating to the escrow account, in flagrant contravention of the provisions of paragraph 7 of the same resolution, which "Requests the Secretary-General to establish an escrow account for the purposes of the present resolution, to appoint independent and certified public accountants to audit it and to keep the Government of Iraq fully informed".

During the four phases provided for by the Memorandum of Understanding, an amount of 1 per cent was withheld from the return on the sale of Iraqi oil pursuant to resolution 986 (1995). This amount has reached the sum of $88,760,011, apportioned as follows:

$20,118,475 on 20 May 1997 (first phase)

$19,866,109 on 20 November 1997 (second phase)

$19,634,719 on 20 May 1998 (third phase)

$29,140,708 (fourth phase).

Careful examination of the amount of $29,140,708 for the fourth phase, covering a period of 180 days, shows that it is not consistent with the provisions of paragraph 8 (g) of resolution 986 (1995), which specifies the maximum amount of the deductions as $10 million every 90 days.

In conformity with the provisions of resolution 986 (1995) quoted above, and with the provisions of paragraph 12 of the Memorandum of Understanding concluded between the Iraqi Government and the Secretariat of the United Nations on 20 May 1996, which provides that "The Secretary-General, after consultations

with the Government of Iraq, will select a major international bank and establish there the escrow account described in paragraph 7 of the Resolution, to be known as 'the United Nations Iraq Account' (hereinafter the 'Iraq Account'). The Secretary-General will negotiate the terms of this account with the bank and will keep the Government of Iraq fully informed of his actions in choosing the bank and opening the account. All transactions and deductions mandated by the Security Council under paragraph 8 of the Resolution shall be made from the 'Iraq Account', which will be administered in accordance with the relevant Financial Regulations and Rules of the United Nations", Iraq is entitled to verify all the operations associated with the account as well as the amount of the balance, the investment operations, the accumulated interest, the names of the countries to which transfers were made and the terms on which they were effected, all the more so in that the account is fed by Iraqi assets and is managed by the Secretary-General of the United Nations pursuant to Security Council resolution 986 (1995).

The competent services of the United Nations should have transferred the amounts withheld from sale of Iraqi Oil (1 per cent) directly to the escrow account opened with the Federal Reserve Bank, New York, from which $200 million were withdrawn in 1996 to finance the other operations of the United Nations in Iraq.

That being the case, the Government of Iraq requests you to intervene with the relevant services of the United Nations to ensure that they comply with the spirit and the letter of Security Council resolution 986 (1995) and the provisions of the Memorandum of Understanding, proceed without delay to transfer the amounts withheld from the return on the sale of Iraqi oil (1 per cent) to the escrow account opened with the above-mentioned United States bank, and provide the Iraqi Central Bank with the financial statements relating to the operations of that account.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1999/10
5 January 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 5 JANUARY 1999 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED ARAB EMIRATES TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and in view of the continuing illegal Iranian occupation of the Greater Tunb, the Lesser Tunb and Abu Musa, three islands belonging to the United Arab Emirates, and of the ongoing attempts by the Government of the Islamic Republic of Iran forcibly to impose on the islands a fait accompli by implementing numerous unlawful and illegal measures with a view to annexing them and bringing them under Iranian sovereignty by coercive means, I hereby inform you that my Government requests the Security Council to retain in the list of matters of which it is seized the item entitled "Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council (S/10409)", which relates to the question of the Iranian occupation of the islands belonging to the United Arab Emirates, until such time as the Islamic Republic of Iran ends its occupation and de facto control of these islands.

My Government takes this opportunity to reaffirm the commitment of the United Arab Emirates to security and stability in the Arabian Gulf region and its readiness to abide by the provisions of the Charter of the United Nations and the principles of international law.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad J. SAMHAN
Permanent Representative

99-00214 (E) 060199 060199

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/11
6 January 1999

ORIGINAL: ENGLISH

LETTER DATED 6 JANUARY 1999 FROM THE PERMANENT REPRESENTATIVE OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you a copy of a statement delivered on 5 January 1999 by Ato Seyoum Mesfin, Foreign Minister of the Federal Republic of Ethiopia, at a briefing organized for members of the diplomatic community at Addis Ababa on the Eritrean aggression and on its rejection of the peace proposal by the Organization of African Unity (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador

99-00270 (E) 070199

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Annex

Statement made by Ato Seyoum Mesfin, Foreign Minister of Ethiopia, at a briefing organized for members of the diplomatic community at Addis Ababa on the Eritrean aggression and on its rejection of the peace proposal by the Organization of African Unity

It is now almost eight months since the Eritrean aggression against Ethiopia and since the forceful occupation of Ethiopian territory by Eritrea.

Eritrea can be said to have committed two types of crime. The first crime is related to the totally unexpected invasion and occupation of our territory on 12 May 1998 and to various atrocities committed by Eritrea, ranging from indiscriminate air strikes against civilians to the uprooting of hundreds of thousands of our compatriots from occupied Ethiopian territory.

The second crime that has been committed by the Eritrean authorities involves the disdain that they have shown towards efforts at peacemaking and towards attempts made to assist the two parties to avoid war and achieve peace. This latter crime is no less grave and no less brutal, because essentially by closing all avenues for peace the Eritrean authorities appear to have decided to impose an unwanted war on the people of Ethiopia, who had hoped until seven months ago that the country's history of war would be behind us and that these would be years for making up for lost time.

The Eritrean authorities continue to commit both types of crime. By continuing to occupy Ethiopian territory and by continuing to violate Ethiopia's sovereignty, they have decided to continue committing crime against our people. On the other hand, their refusal to give peace a chance has also continued, as can be seen very vividly from their response to the latest peace proposal by the Organization of African Unity (OAU) - a response which is devoid of any seriousness and which is essentially designed as a public relations ploy calculated to confuse and to keep the Eritrean rejection of the peace proposal as ambiguous as possible. The fact that the Eritrean authorities are thus continuing to commit a crime by killing all chances for peace is quite obvious and can hardly be missed by observers with any sense of objectivity.

We are at a very critical turning point in this crisis imposed on us by the authorities in Eritrea. The diplomatic effort is clearly stymied by Eritrean obduracy and intransigence. Not for the first time.

It is important not to lose sight of the fact that Eritrea has always been consistent throughout this crisis in one thing - in rejecting all peace proposals and in trying to wreck peace efforts, either through attempts at discrediting facilitation exercises as a whole or through attempts at tarnishing the credibility of individuals involved in the process of peacemaking.

The first peace proposal rejected by Eritrea - as is well known by now - was the one proposed by the United States of America and Rwanda. After having said "No" to the results of the United States-Rwandese facilitation, whose good offices Eritrea had initially accepted willingly, Eritrea made it known that it

would be happier with OAU assuming the role of peacemaker. But when the OAU summit at Ouagadougou on 10 June 1998 adopted a resolution appealing to the two parties to accept the proposal made by the United States and Rwanda, Eritrea said "No" once again, insisting that it was prepared to accept only a new process to be initiated by OAU, spearheaded by a high-level delegation of OAU heads of State originally set up to ensure and follow up the implementation of the 10 June OAU summit resolution.

Eritrea indeed had its way, and the OAU high-level delegation had to start its work from scratch, which involved the setting up of committees at an ambassadorial and ministerial level to look into the genesis of the crisis and into whether an aggression had taken place. Doing so was necessary because the Eritrean authorities were lying shamelessly by maintaining that the occupied Ethiopian territories were Eritrean and had always been administered by Eritrea.

We knew what the results of the OAU investigation would be, as the Eritrean authorities also did. That is why they wanted to stop the Ambassadorial Committee from investigating who had been administering Badme before the 12 May 1998 invasion of the locality by Eritrean forces. But OAU stood its ground despite the Eritrean insistence on the need to change the terms of reference of the Ambassadorial Committee. An account of this is to be found in black and white in the report by the high-level delegation to the summit of the OAU Central Organ.

The findings of the Ambassadorial Committee were unambiguous. They proved the Eritrean aggression without a shadow of doubt, and these formed the basis for the approaches made to the two parties by the high-level delegation at a ministerial level on 1 and 2 August 1998 at Ouagadougou.

It was thus after exhaustive and extensive work at various levels that the OAU peace plan was eventually submitted to the two parties by the high-level delegation at a summit level on 7 and 8 November 1998.

Ethiopia, whose delegation was led by our Prime Minister, accepted the proposal ad referendum immediately and on the spot, after the clarification that it sought was provided, and its formal and definitive acceptance of the proposal was communicated to the Chairman of the high-level delegation three days later.

On the other hand, Eritrea would not even acknowledge that there was in fact a peace proposal put on the table by OAU. It continued to refer to the OAU peace proposal as "talking points" until the convening of the OAU summit of the Central Organ for Conflict Resolution on 17 and 18 December 1998, to which the high-level delegation was expected to submit its report.

I am deliberately avoiding talking about the attempt made by Eritrea to destroy the work and the credibility of the high-level delegation and its individual members, as earlier it had tried the same to tarnish the credibility of the Secretary-General of OAU.

However, it is vital to talk about what the Eritrean authorities tried to do immediately before the Ouagadougou summit of the Central Organ and at the summit itself, and what they have been doing since. In this regard, nothing

shows the lack of seriousness of the Eritrean authorities concerning the peace efforts by OAU and the contempt they have for OAU more than the set of questions that, in the manner of a school master addressing students, they delivered to OAU on 12 December 1998, emphasizing that their response to the peace proposal would be contingent on replies by OAU to those 32 or so questions, most of which are manifestly odd and bizarre.

Then came the message on 15 December 1998 by the Eritrean President to the Chairman of the high-level delegation, whose contents were repeated two days later by the Eritrean leader in his statement before the summit of the Central Organ. The core message of both was a request for OAU to amend the core proposals put on the table by OAU calling on Eritrea to withdraw from occupied Ethiopian territory and for the restoration of the status quo ante. Predictably, that Eritrean request for amendment, which in fact amounted to a counter proposal, was rejected by the summit, and the peace proposal of the high-level delegation was endorsed by the summit, which also called for a speedy implementation of the plan. End of story.

That is where we are as far as OAU's attempt at brokering peace between Ethiopia and Eritrea is concerned. OAU has placed its proposal on the table and has called for its speedy implementation. Ethiopia has accepted the proposal; Eritrea continues to talk about amendments - as earlier it had talked about "talking points" - aimed at the core issue, which involves its withdrawal from Ethiopian territory and the return of the Ethiopian administration.

This is the situation at present as far as Eritrea's disposition for peace is concerned. It is by no means far from the truth to say that Eritrea is being allowed to get away with murder and publicly and successfully to kill all diplomatic opportunities for peacefully resolving the crisis - a crisis that it created and imposed on Ethiopia. Will the Eritrean authorities continue to be allowed by the international community to deny our people and theirs peace, and to make a mockery of all peace efforts as well?

We as a Government have kept out promises to our people and to the international community. We have said at the beginning of the crisis that we would exhaust all opportunities for resolving the crisis peacefully, giving first priority to this method of resolving the problem. We have done this in a scrupulous manner and with all the necessary good will.

But it must by now have become clear to any objective observer that Ethiopia has no partner for peacemaking in this crisis. Under these circumstances, there can hardly be anything more that could be expected of Ethiopia. The ball is squarely in the Eritrean court.

Obviously, others might also have to ask themselves whether they have done enough for peace and to put the required pressure to bear on Eritrea, which is clearly the aggressor, the intransigent party and the party which is not prepared to give peace a chance.

The talk about the Eritrean authorities being immune to pressure is unconvincing. What they need is to be talked to in the language they understand. They might listen and they will listen if there are clear

indications that, among other things, their pockets would also be affected. The first step is to admit that treating Eritrea with kid gloves and shying away from calling a spade a spade has not worked and has only encouraged the Eritrean authorities to persist in their defiance, intransigence and rudeness towards both individuals and institutions, and towards those who have anything to do with the effort for peace in this crisis.

We all recall, in this regard, what we were told and what we were assured at the beginning of this crisis. It was said that we should exercise maximum restraint. It was emphasized that OAU should be given the opportunity to make war unnecessary for reversing aggression. We and OAU were promised that once OAU took a position and put a peace proposal on the table, then all would stand behind OAU with resolve, and whoever was the aggressor would be told with no ambiguity that aggression cannot and will not pay. That this has not been done long after OAU has spoken in no ambiguous terms about who the aggressor is and after it had presented its peace proposal is indeed a source of disappointment and surprise. In fact, that partly explains why Eritrea has defied all peace efforts and is now defying the Organization of African Unity. Accordingly, it is now only what those who are in a position to bring effective and meaningful pressure to bear on Eritrea are prepared to do which will decide whether there is hope for a peaceful resolution of the crisis. Otherwise, the peace effort can be considered as good as dead. We therefore call on the international community, in fulfilment of its obligation to international law, for the respect of the provisions of the Charter of the United Nations and by way of delivering on promises made, to put whatever meaningful and effective pressure is available to them on Eritrea so that OAU may succeed in its effort and diplomacy may have a chance.

This is why I said earlier that we are at present at a critical period of this seven-month crisis created by the Eritrean aggression. Ethiopia awaits the response of the international community, without which no one should have any illusion that there will be a positive response from Eritrea.